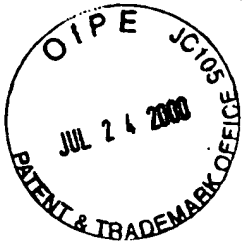


Attorney Docket No. **DONO-7**

AF
GP 3644



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Bruce A. Donoho)
Serial No.: 09/317,303) Group No.: 3644
Filed: May 24, 1999) Examiner: J. Lavinder
For: UNITARY CONFIGURED BIRD)
REPELLENT APPARATUS)

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**REQUEST FOR RECONSIDERATION AFTER
FINAL REJECTION**

BOX AF

Assistant Commissioner for Patents
U.S. Patent & Trademark Office
Washington, D.C. 20231

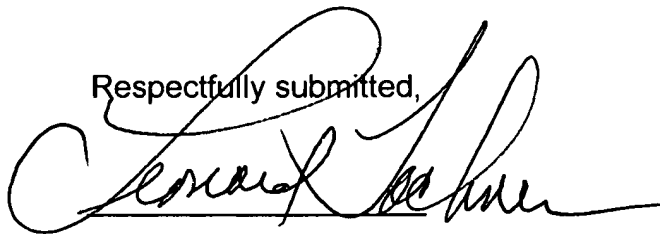
Dear Sir:

This request is in response to the Office Action dated April 17, 2000. The application has claims 3-6, 8 and 9 pending. In the Amendment filed March 2, 2000, the Applicant amended the drawings at FIG. 1 to add a notch 19 conforming to the specification at page 8, lines 10-12. The pending new action disapproves this drawing correction and effectively ignores the prior Amendment because of alleged new matter in the proposed drawing. Applicant respectfully requests reconsideration based upon the following:

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION Continued
Serial No. 09/317,303

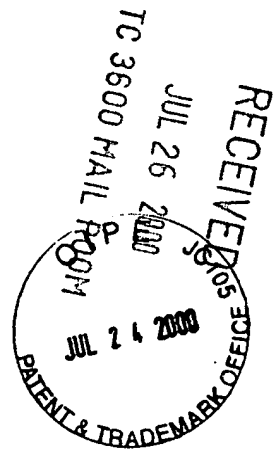
At page 8, lines 6-8, the Applicant states: "The base member 12 provides a rail 15 from which extends integrally...along the full length of base member 12." From the foregoing it will be observed that base member 12 comprehends rail 15. Rail 15 is an integral part of base member 12. Therefore, the notch 19 in rail 15 as shown in the amended FIG. 1, is also in base member 12 as stated in lines 10-12 of page 8. The drawing correction therefore does not introduce new matter. Accordingly, the amendments and arguments of the March 2, 2000 Amendment should be reconsidered and the rejections on prior art viewed with the limitations of claim 9 in mind including the notch of amended FIG. 1. Moreover, in view of the circumstances it is requested that the Examiner withdraw the "FINAL" status of the pending action and give the prior Amendment full consideration.

Respectfully submitted,



Leonard Tachner
Attorney for the Applicant
Registration No. 26,344

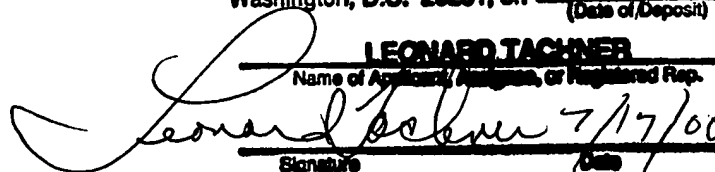
Dated: 7/17/00



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(949) 955-2415 Telefax

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Washington, D.C. 20231, on 7/17/00
(Date of Deposit)

LEONARD TACHNER
Name of Applicant, Assignee, or Registered Rep.

Signature Date 7/17/00

In re Application of: Bruce A. Doncho
Serial No.: 09/317,303
Filed May 24, 1999
FOR UNITARY CONFIGURED BIRD REPELLENT APPARATUS



Case Docket No. DONO-7

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- ☒ No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	* 6	MINUS	** 20	= 0
INDEP.	* 1	MINUS	*** 3	= 0

☐ FIRST PRESENTATION OF MULTIPLE DEP. CLAIM

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
\$ 9	\$ 0		\$ 18	\$
\$ 39	\$ 0		\$ 78	\$
\$ 130	\$ 0		\$ 260	\$
TOTAL	\$ -0-		TOTAL	\$

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- * If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- * If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.
- * The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- ☐ Please charge my Deposit Account No. 06-0930 in the amount of \$_____ A duplicate copy of this sheet is attached.
- ☐ A check in the amount of \$_____ is attached.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 06-0930. A duplicate copy of this sheet is attached.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☐ Any patent application processing fees under 37 CFR 1.17.

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Washington, D.C. 20231, on 7-12-2000 (Date of Deposit)

LEONARD TACHNER
Name of Applicant, Attorney, or Registered Rep.

Signature: Leonard Tachner Date: 7/12/2000

Respectfully submitted,

Leonard Tachner
Attorney for the Applicant(s)
Registration No. 26,344

Dated: 7/12/2000

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